

## Gravatt, Dan

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**From:** Phillips, John  
**Sent:** Friday, March 28, 2014 3:00 PM  
**To:** Hoefer, David; Gravatt, Dan  
**Subject:** RE: West Lake: Question on oversight billing to PRPs

Thanks. Dan, we can do quarterly or semi-annual, just let me know.

**From:** Hoefer, David  
**Sent:** Friday, March 28, 2014 2:58 PM  
**To:** Gravatt, Dan; Phillips, John  
**Subject:** RE: West Lake: Question on oversight billing to PRPs

I understand from Dan that these response costs would be incurred pursuant to EPA's oversight of Work being performed under AOC Docket No. VII-93-F-0005. Paragraph 89 of that AOC allows us to bill the Respondents "periodically." "Periodically" is not defined in the AOC but generally refers to "at regular intervals."\* While we have been billing on an annual basis we are not bound to continue billing on that basis. So I believe that we can covert to quarterly billing without being contrary to the AOC. In addition, the AOC does not provide the Respondents an opportunity to invoke Dispute Resolution for a change such as this.

Let me know if you have any questions.

Thanks.

\* Merriam-Webster's Collegiate Dictionary, 10<sup>th</sup> Edition.

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**From:** Gravatt, Dan  
**Sent:** Friday, March 28, 2014 12:17 PM  
**To:** Hoefer, David; Phillips, John  
**Subject:** West Lake: Question on oversight billing to PRPs

Dave, John,

SUPR plans to spend a substantial amount of money this year on oversight work at West Lake, both for an interagency agreement with USACE and for the removal assessment and removal action related to the subsurface barrier. We have a special account set up to receive the oversight bill collections and would like to use that to fund the oversight work as much as possible. In light of that, I need to know:

- Can we bill the PRPs for oversight every six months, instead of annually?
- Can we get the next oversight billing started now?

Let me know if you need more information and/or a meeting to answer these questions.

Thanks,  
Daniel R. Gravatt, PG  
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Principles and integrity are expensive, but they are among the very few things worth having.

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